

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:
Bobby L. Fisher

Debtor(s)

Chapter 13 Proceeding

19-12649-MDC

Cenlar, FSB as Servicer for CitiMortgage, Inc.
Movant

v.
Bobby L. Fisher
and
William C. Miller, Esquire
Respondent

MOTION TO VACATE MARCH 18, 2021 RELIEF ORDER

AND NOW, comes Cenlar, FSB as Servicer for CitiMortgage, Inc. (Movant) by and through its counsel, Sarah K. McCaffery, Esquire, and files this Motion to Vacate the March 18, 2021 Relief Order.

1. On June 25, 2020 Movant filed a Motion for Relief which alleged that the Debtor(s) was/were in arrears on the payments to Movant.
2. Debtor filed a Response to Movant's Motion on July 15, 2020.
3. Subsequently to that filing Movant and Debtor entered into a Stipulation of Settlement which was filed on July 23, 2020 and approved by this Honorable Court on July 27, 2020.
4. Under the terms of the Stipulation, Debtor was required to remain current on all post-petition payments due and owing to Movant regarding the property located at 1418 Milton Street, Bristol, PA 19007.
5. On February 12, 2021, Movant, through counsel, sent a Notice of Default to Debtor and Debtor's counsel advising that the December 2020 through and including February 2021 mortgage payments had not been made and requiring that the default be cured on or before March 1, 2021.
6. Debtor failed to cure the default and on March 11, 2021 Movant filed a Certification of Default requesting entry of the Relief Order.
7. As a result of the Debtor's failure to comply with the terms of the Stipulation and failure to cure the default a Relief Order was signed on March 18, 2021.
8. Subsequent to the entry of the March 18, 2021 Relief Order, Movant received sufficient funds to cure the delinquency.
9. As of April 21, 2021, Debtor's loan is due for the April 1, 2021 payment of \$1,773.16, with \$181.39 in Debtor Suspense.

10. As such, Movant now seeks to vacate the March 18, 2021 Relief Order.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

March 18, 2021 Order granting Movant Relief from the stay is VACATED.

04/22/2021

/s/Sarah K. McCaffery

POWERS KIRN, LLC

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